

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

ALVERENE BUTLER,

Plaintiff,

V.

**ALABAMA DEPARTMENT OF
TRANSPORTATION, *et al.*,**

Defendants.

CASE NO. 2:06-cv-00278-MEF-CSC

DEFENDANT’S MOTION IN LIMINE

Come now the Defendants in the above styled cause and move the Court in *limine* to instruct, direct, order the Plaintiff, her attorney, and each and every witness not to mention, refer to or mention, either directly or indirectly, in any form, during the course of this trial and in the presence of the jury the following matters:

1. The *Reynolds* litigation, the claims contained and litigated therein, and the Court's orders and rulings in the case.
2. James Horace, the Plaintiff's former supervisor, and any and all claims the Plaintiff may have had against Mr. Horace. The Defendants request that this instruction extends to Horace's separation from the department and the circumstances thereof.
3. Co-workers' expressions of opinion as to whether or not Alverene Butler was qualified for promotion to the position of CE.

RESPECTFULLY SUBMITTED
TROY KING
ATTORNEY GENERAL

s/ Harry A. Lyles
Jim R. Ippolito, Jr. (IPP001)

Assistant Attorney General
Chief Counsel

Harry A. Lyles (ALT001)
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ADDRESS OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that, on May 21, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECT system, which will send notification to the following:

Mr. Jay Lewis, Esq.
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ATTORNEY FOR PLAINTIFF

s/ Harry A. Lyles
Harry A. Lyles (LYL001)
Assistant Attorney General
Assistant Counsel

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